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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,885	07/17/2003	David Yu Chang	AUS920030339US1	3079

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EXAMINER

CHAVIS, JOHN Q

ART UNIT	PAPER NUMBER
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2193

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/621,885		CHANG ET AL.	
	Examiner		Art Unit	
	John Chavis		2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>07/17/03</u> . | 6) <input type="checkbox"/> Other: _____ |

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Omum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-24 are provisionally rejected on the ground of nonstatutory double patenting over claims 1-24 of copending Application No. 2005/0015401. This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows: For example, in claim 1, '5401 obtains an application name and a deployment name in order to generate an application based name; while, claim 1 of the present application registers an alias

name (with the obtaining feature being inherent; since, nothing appears to create the name) in order to generate an application based name. Furthermore, the registering feature is an inherent feature in a naming service as in '5401. Therefore, the claims are considered to encompass the similar subject matter. The dependent claims are considered to have the same type of problems as indicated for their respective independent claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Cocks et al. (6,745,250).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art

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under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

What is claimed is:

Cocks et al.

1. A method for managing application files within a data processing system, the method comprising:

See the title and the abstract.

registering an alias name, wherein the alias name represents a first compound name that includes an application name that is associated with an application and a deployment name that is associated with a deployment attribute that characterizes a deployment of an instance of the application;

See col. 2 lines 1-6, which enables objects to be found.

See also col. 6 and the third or "enhancing" step of claim 1 of '250.

generating an application-based name associated with an application, wherein the application-based name represents a context within a naming system, and wherein the application-based name is a second compound name that includes the alias name; and

See again col. 6 and claim 4 of '250.

managing an application within the data processing system using the application-based name.

See col. 2 lines 1-17 and col. 3 lines 27-37.

2. The method of claim 1 wherein a deployment attribute is a metadata value that characterizes a manner in which the instance of the application is deployed within the distributed data processing system.

See col. 2 lines 7-17.

3. The method of claim 1 wherein the

See col. 2 line 24-39.

alias name represents the application name and multiple deployment names associated with multiple deployment attributes.

4. The method of claim 1 wherein the step of registering the alias name further comprises: associating the alias name with the first compound name that includes the application name and the deployment name; and storing the association of the alias name with the first compound name in a datastore.

See the rejection of claim 1.

5. The method of claim 4 further comprising: associating the first compound name with a first topology-based name, wherein the first topology-based name represents a first context for organizing files that are related to the instance of the application.

“ “ “ “

6. The method of claim 4 further comprising: moving files that are related to the instance of the application; and associating the first compound name with a second topology-based name, wherein the second topology-based name represents a second context for organizing files that are related to the instance of the application.

See the mapping feature of col. 2 lines 1-6.

7. The method of claim 1 further comprising: installing multiple versions of the application in the data processing system; and registering an alias name for each version of the application.

“ “ “ “

8. The method of claim 1 further comprising: installing multiple instances of the application in the

“ “ “ “

data processing system; and
registering an alias name for each
instance of the application.

Claims 9-16 and 17-24 are rejected as claims 1-8 above.

5. Claims 1, 9 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by
Newcombe et al. (6,947,925).

The applied reference has a common assignee with the instant application.
Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art
under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome
either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in
the reference was derived from the inventor of this application and is thus not the
invention "by another," or by an appropriate showing under 37 CFR 1.131.

Claims

1. A method for managing application files
within a data processing system, the method
comprising:

registering an alias name, wherein the alias
name represents a first compound name that
includes an application name that is
associated with an application and a
deployment name that is associated with a
deployment attribute that characterizes a
deployment of an instance of the
application;

generating an application-based name
associated with an application, wherein
the application-based name represents a
context within a naming system, and
wherein the application-based name is a
second compound name that includes the
alias name; and

Newcombe

See the title and the abstract.

See col. 1 lines 7-11, which
enables objects to be found
via the directory (registered).
See also col. 1 lines 28-63.

See col. 2 lines 23-38.

managing an application within the data processing system using the application-based name.

See col. 2 lines 39-50.

6. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al. (2003/0101435).

Claims

1. A method for managing application files within a data processing system, the method comprising:

registering an alias name, wherein the alias name represents a first compound name that includes an application name that is associated with an application and a deployment name that is associated with a deployment attribute that characterizes a deployment of an instance of the application;

generating an application-based name associated with an application, wherein the application-based name represents a context within a naming system, and wherein the application-based name is a second compound name that includes the alias name; and

managing an application within the data processing system using the application-based name.

Takahashi

See the title and the abstract.

See fig. 1, the logical name (alias) and the physical name (deployment name).

See items 755, 757 and 763 of fig. 10.

See item 937 of fig. 12.

The features of claims 9 and 17 are taught via claim 1 above.

In reference to claims 2, 10 and 18, see the component descriptions in section 0008.

Claims 3-8, 11-16 and 19-24 are rejected as claim 1.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Chavis whose telephone number is (571) 272-3720. The examiner can normally be reached on M-F, 7:30am-4:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC



John Chavis
Primary Examiner AU-2193